

## Message Text

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71

ACTION EUR-25

INFO OCT-01 ISO-00 EB-11 CIAE-00 DODE-00 PM-07 H-03 INR-10

L-03 NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SPC-03 SS-15

USIA-15 ACDA-19 IO-15 OMB-01 DRC-01 /144 W

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R 031631Z OCT 73

FM AMEMBASSY WARSAW

TO AMEMBASSY BONN

INFO SECSTATE WASHDC 6078

AMEMBASSY MOSCOW

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY BUDAPEST

USMISSION BERLIN

USNATO BRUSSELS 549

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E.O. 11652: N/A

TAGS: PFOR, PGOV, WB, GW, GE, PL, CZ

SUBJECT: POLISH MOVE AGAINST FRG CONSULAR REPRESENTATION  
OF WEST BERLIN

REF: BONN 13681

1. EMBASSY HAS SO FAR BEEN UNABLE TO OBTAIN A COPY OF  
THE AUGUST 15 DZIENNIK URZEDOWY OF THE MINISTRY OF  
JUSTICE. HOWEVER, THE EMBASSY HAS DISCUSSED THIS MATTER  
AT SOME LENGTH WITH THE DCM OF THE FRG EMBASSY.

2. FRG DCM DEPICTS THE ENTIRE SITUATION AS ONE OF SOME  
UNFORTUNATE EMBARRASSMENT TO BOTH POLAND AND THE FRG.  
ACCORDING TO HER, EVEN BEFORE THE REGULATIONS WERE  
FORMULATED AND PUBLISHED BY THE MINISTRY OF JUSTICE THE  
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GOP HAD BEEN REFUSING TO PERMIT THE FRG EMBASSY REPRESENT

WEST BERLINERS IN REQUESTS FOR LEGAL ASSISTANCE. BECAUSE OF THIS FRG DECIDED TO BE QUITE SPECIFIC ON THIS QUESTION IN NEGOTIATION WITH CZECHOSLOVAKIA, HUNGARY AND BULGARIA. FRG DCM SAID THAT FRG NOW BELIEVES THAT THIS WAS A MISTAKE BECAUSE IT LED TO A HARDENING OF POSITIONS ON THIS ISSUE ON BOTH SIDES AND HAS INTERFERRED WITH THE PROGRESS OF BROADER AND MORE IMPORTANT NEGOTIATIONS FOR THE ESTABLISHMENT OF DIPLOMATIC RELATIONS.

3. FRG DCM SAID THAT THE POLISH MFA HAS TOLD THE FRG EMBASSY THAT THE DRAWING UP AND PUBLICATION OF THE REGULATIONS WAS A GREAT MISTAKE AND WAS MERELY A LEGALISTIC ADMINISTRATIVE ACTION TAKEN UNILATERALLY BY THE MINISTRY OF JUSTICE WITHOUT MFA CLEARANCE.

4. FRG DCM EXPRESSED HER VIEW THAT THE MATTER WOULD BE RESOLVED DURING FONMIN SCHEEL'S FORTHCOMING VISITS TO WARSAW AND MOSCOW.

COMMENT: ALTHOUGH IT SEEMS UNLIKELY THAT THE GOP IS SO UNCOORDINATED IN MATTERS WITH STRONG POLICY IMPLICATIONS AS TO HAVE LET THE REGULATIONS IN QUESTION BE PUBLISHED BY ACCIDENT, AS THE MFA REPORTEDLY HAS SUGGESTED TO THE FRG EMBASSY, THE GOP PROBABLY DOES FEEL UNCOMFORTABLE AT BEING IN THE CENTER OF THIS CONTROVERSY. THE GOP HAS SOME SERIOUS PROBLEMS OF ITS OWN IN ITS BILATERAL RELATIONS WITH THE FRG TO TAKE UP DURING THE SCHEEL VISIT, MOST IMPORTANTLY A LARGE AND GROWING TRADE DEFICIT WITH THE FRG.

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 03 OCT 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** willialc  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1973WARSAW05163  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
**From:** WARSAW  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1973/newtext/t19731052/aaaabmcw.tel  
**Line Count:** 91  
**Locator:** TEXT ON-LINE  
**Office:** ACTION EUR  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** BONN 13681  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** willialc  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 01 AUG 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <01-Aug-2001 by boyleja>; APPROVED <20-Nov-2001 by willialc>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** POLISH MOVE AGAINST FRG CONSULAR REPRESENTATION OF WEST BERLIN  
**TAGS:** PFOR, PGOV, WB, GE, GC, PL, CZ  
**To:** n/a  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005